GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Revenue Department - Sri D.Sudarsanam, the then Spl Collector (LA), Polavaram Irrigation Project, Rajamahendravaram (now retired) - Common disciplinary proceedings initiated under Rule - 20 read with Rule - 24 of Andhra Pradesh Civil Services (Classification Control & Appeal) Rules, 1991 - Articles of charge framed - Regular enquiry ordered - Orders of the Hon'ble High Court dated: 22.06.2023 in W.P.No.24733 of 2022 - Implemented - Orders - Issued.

REVENUE (VIGILANCE - I) DEPARTMENT

G.O.Rt.No.81 **Dated: 23-01-2024**
Read the following:

1. From the Spl. Collector(LA) Polavaram Irrigation Project, Rajamahendravaram, Lr. Ref. C1/313/2015, Dt. 23.05.2016.
2. G.O.Ms.NO.296, Revenue(Vigilance-I) Dept., Dt: 27.10.2021.
3. G.O.Rt No. 679, Revenue (Vig.I)Department, dated 27.10.2021.
4. From Sri D.Sudarshanam, the then Spl Grade Dy. Collector (now retired), WSD, dt: 06.04.2022.
5. G.O.Rt.No.635, Rev. (Vig.I) Dept., dt: 10.08.2022.
6. G.O.Rt.No.636, Rev. (Vig.I) Dept., dt: 10.08.2022.
7. Hon'ble High Court orders, dt: 22.06.2023 in in W.P.No.24733 of 2022.

-(o)-

ORDER:

Where as in the letter 1st read above, Spl. Collector (Land Acquisition), Polavaram Irrigation Project, Rajamahendravaram has submitted a report on the irregularities noticed in erroneous fixation of Market Value in certain Villages of West Godavari District during land acquisition under Chintalapudi Lift Irrigation Scheme resulting in financial loss to Government's exchequer and recommended for stringent action against the officers responsible for the same.

2. After careful examination of the report 1st read above, disciplinary proceedings were initiated against Sri D.Sudarsanam, the then Spl Collector (LA), Polavaram Irrigation Project, Rajamahendravaram (now retired), under rule -20 of Andhra Pradesh Civil Services (Classification Control & Appeal) Rules, 1991 r/w Rule - 9 of A.P Revised Pension Rules, 1980 for erroneously fixing the market value against the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act -2013 causing financial loss to the Government exchequer, with a direction to submit the Written Statement of Defence. In response vide his representation 4th read above, the charged officer has submitted his written statement of defence.

3. Whereas in the G.O in 5th read above, Sri R.P Thakur, IPS (Retired), Member, Commissioner of Inquiries is appointed as Inquiry Authority to conduct inquiry into the charges framed against Sri D.Sudarsanam, the then Spl Collector (LA), Polavaram Irrigation Project, Rajamahendravaram (now retired) and vide G.O 6th read above, Sri A.Sreeramachandra Murthy, Spl Grade Deputy Collector,(Retd.) has been appointed as Presenting officer.

4. Sri D.Sudarsanam, the then Spl Collector (LA), Polavaram Irrgiation Project, Rajamahendravaram (now retired) has filed a writ petition in W.P.No.24733 of 2022 praying to declare the charges issued vide G.O 3rd read above, for the incidents relating to year 2016 which are beyond (4) years as contrary to Rule- 9(2)(b)(ii) of APRPS, 1980 as illegal and to direct the respondents to release full pension and other retirement benefits immediately. The Hon'ble Court has granted interim stay and necessary counter affidavit has been filed on 17.11.2022. However, the regular enquiry ordered vide G.O 5th read above, has been stalled due to the interim stay granted by the Hon'ble High court.

5. The Hon'ble High Court of A.P has pronounced judgment on 22.06.2023 in W.P.No.24733 of 2022, setting aside the charges framed vide G.O. 3rd read above and directed the respondents to release full pension and other retirement benefits to the petitioner

(Contd..2)

6. Government have examined the orders of Hon'ble High Court in W.P.No.24733 of 2022, dated.22.06.2023 in detail and decided to implement the orders of the Hon'ble High Court in W.P.No.24733 of 2022, dated.22.06.2023, duly setting aside the charges framed vide G.O 3rd read above and to release the terminal benefits due to him.

7. Accordingly, the Government hereby set aside the charges framed against Sri D.Sudarsanam, the then Spl Collector (LA), Polavaram Irrgiation Project, Rajamahendravaram (now retired) and the Chief Commissioner of Land Administration, A.P., Mangalagiri is directed to release terminal benefits.

8. The Chief Commissioner of Land Administration, A.P., Mangalagiri shall take necessary further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJAY JAIN
SPECIAL CHIEF SECRETARY TO GOVERNMENT (LANDS &DM)(FAC)

To
Sri D.Sudarshanam, the then Spl Grade Dy. Collector (now retired), (Through Chief Commissioner of Land Administration, Andhra Pradesh, Mangalagiri).
The Chief Commissioner of Land Administration, Andhra Pradesh, Mangalagiri.
Copy to:
The District Collector, East Godavari.
The Accountant General (A&E), Andhra Pradesh, Vijayawada.
SF/SC.

// FORWARDED::BY ORDER //

SECTION OFFICER